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AMERICAN CITIZENS.

THOSE WHO ARE NATURAL BORN AND THOSE MADE BY LAW.

The Former Only Are Eligible to the Office of President—Opinions of Leading Authorities Upon the Subject—Morse, Who Dissects, Is Short on Argument.

Kindly inform me whether a child born of American parents under the following circumstances is recognized as an American citizen or not: Case 1.—The child is born upon high seas. Case 2.—The child is born in a foreign country. An argumentative decision.

Answer.—Our correspondent, we apprehend, does not ask for all he wants. We will endeavor to enlighten him, however, on points which seem to have invited dispute, regarding eligibility of certain classes of citizens to the office of president of the United States. The child of a citizen born on the high seas under the American flag is a citizen of the United States and eligible to the presidency. The child of a citizen born in a foreign country is a citizen of the United States by law, but is not eligible to the presidency. The argument is in the constitution of the United States, which provides:

No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president. Neither shall any person be eligible to that office who shall not have attained to the age of 35 years and been 14 years a resident within the United States.

The difference of opinion existing rests upon the meaning of "a natural born citizen." On this subject Paschal, regarded as one of the highest of legal authorities, says, "A natural born citizen (is one) not made by law or otherwise, but born." Bates on "Citizenship" (10 op. 382) defines the "natural" members of the body politic to "the people born in the country," and he repeats this, confining the meaning to "every person born in the country." Kent says, "Nativity furnishes the rule." Story on "The Constitution" says, "Considering the ages of all such—i. e., those who are alien born and citizens when the constitution was adopted—no person of foreign birth can now ever be president under this constitution." Morse, on "Citizenship" (page 125, section 90) says: "A natural born citizen is one not made by law or otherwise, but born. The constitution does not make the citizen. It only recognizes such of them as are natural, home born, and provides for the naturalization of such of them as are alien, foreign born, making the latter, as far as nature will allow, like the former. The expression 'natural born citizen' recognizes and reaffirms the universal principle common to all nations and is as old as political society—that the people born in a country do constitute the nation, and as individuals are natural members of the body politic." Now, a citizen is first, a natural born. Children born within the allegiance of the United States are natural born citizens. Second, made a citizen by statute. Children born of American parents outside of this jurisdiction are made citizens by statute (United States Revised Statutes, section 2172) and are not citizens natural born. If there was no statute, they would not be citizens. The Journal of Commerce, Nov. 13, 1889, stated the case as follows:

They argue that, as a child born abroad of an American citizen is by act of congress invested with the full rights and privileges of citizenship, therefore he is a citizen by right of birth and is a natural born citizen and eligible to the presidency of the United States. But they overlook the fact that he is not a citizen by right of birth alone, but is made a citizen on account of his birth by act of congress. He is not therefore a natural born citizen, but a citizen made by the law. If he was a natural born citizen, there would have been no necessity for an act of congress investing him with citizenship. A person born out of the allegiance of the United States is therefore made a citizen by law, is not natural born and can not be legally elected president without a change in the constitution.

There was an old feudal doctrine under which the ambassador of a country to another carried with him a box of soil from his native land, and in the event of necessity he would put the box in position, and standing upon it assume that he was on his native heath for the time being. That, we believe, is no longer in practice. As to the officials representing the government of the United States in foreign countries, they are in no way superior to other American citizens, because in the United States there is no rank above citizen.

In order that the reader may clearly comprehend why children of American citizens born abroad are not eligible to the office of president, the following clause of the United States Revised Statutes is given:

The children of persons who now are or have been citizens of the United States shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof (section 2172).

The difference between a citizen made under this provision of law and a natural born citizen is the difference of one born out of the limits and jurisdiction of the United States and one who is born within such limits and jurisdiction. It is the difference between an individual who needs the law to make him a citizen and one who is a citizen by the mere circumstances that he was born and exists. The opinions of Paschal, Story, Bates and Kent have been advanced, and Morse, although maintaining that a citizen made by the law, as quoted, is eligible to the presidency, has not succeeded in stating his position so as to support his theory. His statement clearly sustains the popular interpretation—that of the highest and leading authorities in law.—Brooklyn Eagle.

How He Is Really Angry at Du Maurier and Is Quietly Killing Himself.

The world of high class Bohemia in London has not yet ceased laughing over the vociferous disgust of Whistler that Du Maurier left him out of the story of "Tribby," which is now printed in book form. For the sake of the advertising in it Whistler wrote a stinging letter to Du Maurier reproaching the author for drawing the painter's likeness in his novel, but now the author has cut the painter out. Whistler is really marked down in the novel as a pretentious booby. This self-explaining American is one of the original celebrities of Europe. Once I had occasion to call at his studio in Chelsea on business connected with the art exhibit of the American exhibition in London. He wore a velvet coat, a low cut waistcoat, unadorned shirt, flowing orange necktie, wide trousers and felt slippers, and spoke only in paragraphs, some of which were good. Later on he expressed a wish to look at some of his work.

"My dear fellow," he exclaimed in great seeming astonishment, "can you put up with a creation after having met the creator? The part can never equal the whole."

I dispersed "that tired feeling" with a glass of sherry and persuaded him to show me the pictures. That was what I was there for.—New York Press.

Railway Up the Jungfrau.

The Swiss authorities have at last sanctioned the plans for a railway up the Jungfrau. The railway will, in its upper extremity, run in a tunnel, rising in spirals in the interior of the mountain and will end on a little rocky plateau on the western side of the summit. The last portion of the ascent will be made, painful to relate, by something so intensely modern as an elevator. The narrow ridge at the summit will be leveled by blasting for a hotel.

Harper's Bazar.

In 1895.

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AMERICAN SERIAL, Doctor Warrick's Daughters, by REBECCA HARDING DAVIS, a strong novel of American life, partly laid in Pennsylvania and partly in the far South, will occupy the last half of the year.

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P. O. Box 959, N. Y. City.

HOW SLATE IS MINED.

The Wonderful Skill of the Workmen Who Cut It Up.

The manner in which slate is mined and cut up for purposes to which it is applied is a process that is known to only a few people in this country, its principal sources being in upper New England and eastern Pennsylvania. It is not taken out of shafts, but it is quarried out of big holes in the earth. Some time ago, when the writer was at Bangor, Pa., he was invited to go down into one of these quarries, about 400 feet deep and overhung on a rope, but he declined the invitation, as I think most inexperienced persons would do. The slate is blasted out in huge blocks and is hoisted out by steam and turned over to the men who know how to reduce it to the proper size. Huge blocks of it are taken in hand by these workmen, who cut a notch into one end of each piece. Then they take a chisel and a mallet, and they are so skillful in directing their blows that they can split the blocks of slate in almost any way they please. If you watch the slabs on which one of them is working, you will see a little hair line running through it, and presently the block will fall apart on either side of this mark. The workmen will make this line go straight through the middle, or to either corner just as he likes. I do not know just how he does it, but he invariably accomplishes what he sets out to do.

The smaller pieces thus produced are taken in hand by another set of men, who split them up into sheets of the proper thickness for roofing slates. This they do with a long bladed instrument about the shape of a putty knife, but many times larger, and if you saw them do it you would marvel how they got the sheets only one inch thick and split it 32 times. The usual number of divisions is 16. These sheets are taken and cut into squares by machinery.

Wherever there are slate quarries you will find a great many Welshmen, for the best slates come from Wales. Boys follow the trade of their fathers, and there are whole families and settlements who know no other means of earning a living.—New York Advertiser.

It is the opinion of the true gourmet that of all marine puddish there is none to compare with the smelt (Osmerus mordax). This primary rank is its own by reason of its delicacy and delicious flavor, and when fried in butter in a very fine bread crumbs and served with melted butter there is none that disputes its pre-eminence. Its delightful flavor, however, as well as its peculiar odor is evanescent. Like the mackerel, it cannot be too fresh.

It is from its odor that the smelt derives not only its familiar but Latin name, an odor so aggressive of siled eumbers that, if its presence be manifest only to the sense of smell, people are often deluded in such supposition. This odor is really marked, especially in the freshly caught fish and disappears in the cooking, giving place, however, to a fitting resurrection of the smelt to an olfactory sense still more savory and delightful.—Market Review.

WHISTLER'S EGOTISM.

Now He Is Really Angry at Du Maurier and Is Quietly Killing Himself.

The world of high class Bohemia in London has not yet ceased laughing over the vociferous disgust of Whistler that Du Maurier left him out of the story of "Tribby," which is now printed in book form. For the sake of the advertising in it Whistler wrote a stinging letter to Du Maurier reproaching the author for drawing the painter's likeness in his novel, but now the author has cut the painter out. Whistler is really marked down in the novel as a pretentious booby. This self-explaining American is one of the original celebrities of Europe. Once I had occasion to call at his studio in Chelsea on business connected with the art exhibit of the American exhibition in London. He wore a velvet coat, a low cut waistcoat, unadorned shirt, flowing orange necktie, wide trousers and felt slippers, and spoke only in paragraphs, some of which were good. Later on he expressed a wish to look at some of his work.

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Harper's Magazine

In 1895.

The Simplicity, a novel by THOMAS HARDY, will be begun in the December Number, 1894, and continued to November, 1895. Whoever may be one's favorite among English novelists, it will be conceded by all critics that THOMAS HARDY stands foremost as a master artist in fiction, and The Simplicity may be expected to arouse enthusiasm not inferior in degree to that which has marked "Tribby"—the most successful story of the year. Another leading feature will be the Personal Recollections of Joan of Arc, by the sieur Louis de Courcy, her Peace and Secretary, under which guise the most popular of living American Magazine writers will present the story of the Maid of Orleans. In the January Number will appear a profusely illustrated paper in Charleston and the Carolinas, the first of a series of Southern Papers. Northern Africa is attracting more attention than any other part of the world, and it will depict the present life there. JULIAN RALPH will prepare for the MAGAZINE a series of eight stories, depicting typical phases of Chinese Life and Manners. Besides the long stories, there will be in the January Number the first chapters of A Three-Part Novellette, by RICHARD HARDING DAVIS—the greatest work yet attempted by this writer. Complete short stories by popular writers will be included in each issue. Send for Illustrated Prospectus.

The Volumes of the Magazine begin with the Numbers for June and December of each year. When no time is mentioned, subscriptions will begin with the Number current at the time of receipt of order. Cloth Cases, for binding, 50 cents each—by mail, post-paid. Remittances should be made by Post-office Money Order or draft, to avoid chance of loss. Newspapers are not to copy this advertisement without the express order of HARPER & BROTHERS.

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Harper's Weekly

In 1895.

HARPER'S WEEKLY is a pictorial history of the times. It presents every important event promptly, accurately, and exhaustively in illustration and descriptive text of the highest order.

The magazine, which, during 1894, it has treated the Chicago Railway Strike and the Chinese-Japanese War, and the amount of light it was able to throw upon the latter, and the attention was directed to that little-known resource, JULIAN RALPH, the distinguished writer and correspondent, has been sent to the seat of war, and has returned with a mass of material, which will be continued in the coming year. This Busy World, with its keen and kindly comment on the lesser doings of the day, will remain a regular department.

FICTITIOUS. There will be two powerful serials, both handsomely illustrated: The Red Eve, a stirring romance of olden days by STANLEY J. WEYMAN, and a novel of New York, entitled The Son of His Father, by BRADSHAW MATTHEWS—new, vigorous, and many short stories by popular writers.

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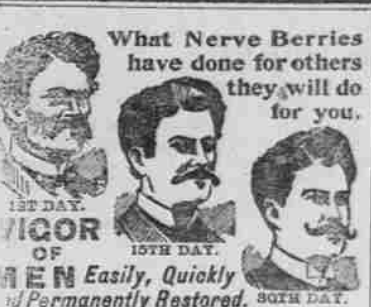
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For sale in Provo City by the Snoon Drug Co. Corner J and Center street.

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MILLINERY GOODS

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Hats and Bonnets.

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March 18th and 19th at
Mrs. H. W. Davis.

Everybody cordially invited.

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AND

Rio Grande Railroad.

SCENIC LINE OF THE WORLD.

The only line running two through trains daily to ASPEN.

LEADVILLE,
COLORADO SP'S.

PUEBLO & DENVER
Effective April 29, 1894.

Train No. 2 leaves Provo 9:26 a. m. Salt Lake 8:05 a. m. Arrive at Pueblo 6:30 a. m. Colorado Springs 7:51 a. m. Denver 10:30 a. m.

Train No. 4 leaves Provo 8:50 p. m. Arrive at Pueblo 5:27 p. m. Colorado Springs 6:38 p. m. Denver 9:20 p. m.

Connections made at Pueblo, Colorado Springs and Denver with all lines east. Elegant day Coaches, chair cars and Pullman sleepers on all trains. Take the D. & R. G. and have a comfortable train and enjoy the finest scenery on the continent. Shortest line to Cripple Creek, Colorado's Great Gold Camp.

Train No. 2 leaving Provo at 9:26 a. m. arrives at Cripple Creek next morning 9:50.

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Work and Fit Guaranteed.

Rio Grande

WESTERN RAILWAY.

SCENIC LINE OF THE WORLD.

LEAVE PROVO FOR EAST AND SOUTH.

No. 2. For Grand Junction and points East.....9:26 a. m.

No. 4. For Grand Junction and points East.....8:50 p. m.

No. 6. For Springfield, Thistle, Sante and Sevier.....8:35 p. m.

No. 8. For Springfield, Thistle, Sante and Sevier.....6:20 p. m.

LEAVE PROVO FOR WEST.

No. 1. For Salt Lake, Ogden, and points West.....11:55 a. m.

No. 3. For Salt Lake, Ogden, and points West.....10:15 p. m.

No. 5. For American Fork, Lehi, and Salt Lake.....4:15 p. m.

No. 7. For American Fork, Lehi, and Salt Lake.....8:35 a. m.

ARRIVE AT PROVO FROM EAST AND SOUTH.

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(The only line to Ogden and Denver without change. Free reclining chair cars on through trains. Through Sleeping cars to Denver, Kansas City, Chicago and San Francisco. Electric equipment, safety, speed and comfort.)

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